

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HEALTH CARE AND RETIREMENT  
CORPORATION OF AMERICA,

Potential Opposer,

v.

SANARUS MEDICAL, INC.,

Applicant.

OPPOSITION NO.



03-03-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

COMMISSIONER FOR TRADEMARKS  
TRADEMARK TRIAL AND APPEAL BOARD  
2900 CRYSTAL DRIVE  
ARLINGTON, VA 22202-3514

FURTHER REQUEST FOR EXTENSION OF TIME  
TO FILE NOTICE OF OPPOSITION

RE: APPLICATION NO.: 78/123,506  
MARK: CIRCLE OF CARE  
APPLICANT: SANARUS MEDICAL, INC.  
FILED: APRIL 23, 2002  
PUBLISHED: JUNE 17, 2003

Dear Sir:

Potential Opposers request that the time for filing an opposition against  
Application Serial No. 78/123,506 for the mark **CIRCLE OF CARE**, filed by **SANARUS  
MEDICAL, INC.** be extended, up to and including **April 1, 2004**.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

MAILED

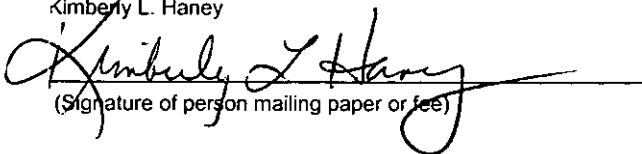
FACSIMILE

☒ Deposited with the United States Postal Service on March 1,  
2004 with sufficient postage as first class mail in an envelope  
addressed to the: Commissioner for Trademarks, BOX TTAB -  
NO FEE/2900 Crystal Drive, Arlington, VA 22202-3514.

☐ transmitted by facsimile on [date] to the U.S. Patent and  
Trademark Office telefax number .

Type Signature Name

Kimberly L. Haney

  
(Signature of person mailing paper or fee)

\_\_\_\_\_  
(Signature of person mailing paper or fee)

Potential Opposer and Applicant are in the final stages of negotiations to resolve this matter and need additional time to attempt to conclude this matter without an opposition. This request to extend time is not being filed for the purpose of delay.

Counsel for the parties currently have near-final drafts of a Consent Agreement being reviewed by each of their respective clients. Counsel for potential opposer and counsel for Sanarus believe that this matter will be resolved at the conclusion of this review, therefore, request a further extension of time to complete the Consent Agreement.

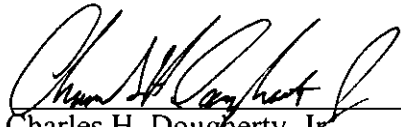
Applicant's attorney, Susan L. Crockett, consented to this request for a further extension during a teleconference on February 27, 2004. Such extension is hereby sought up through and including **April 1, 2004** to resolve this matter.

This Request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Date: March 1, 2004

Respectfully submitted,

HEALTH CARE AND RETIREMENT  
CORPORATION OF AMERICA

By:   
Charles H. Dougherty, Jr.  
Attorney for Potential Opposers

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March 1, 2004



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03-03-2004

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RE: APPLICATION NO.: 78/123,506  
MARK: CIRCLE OF CARE  
APPLICANT: SANARUS MEDICAL, INC.  
FILED: April 23, 2002  
PUBLISHED: June 17, 2003

Dear Commissioner:

Enclosed please find a further Request for Extension of Time to file a Notice of Opposition in the above-referenced application. This request is being filed in triplicate.

Very truly yours,

REED SMITH LLP

By:   
Charles H. Dougherty, Jr.

CHD:klh

Enclosures

cc: Susan L. Crockett, Esq. (w/encl.)  
David K. Nees, Esq. (w/encl.)  
Gene A. Tabachnick, Esq. (w/o encl.)

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